

**Mar 2, 2022**

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - MIAMI

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 22-20076-CR-SCOLA/GOODMAN**

**18 U.S.C. § 1029(a)(4)**

**18 U.S.C. § 1029(c)(1)(C)**

**UNITED STATES OF AMERICA**

**vs.**

**RICARDO DIAZ BORREGO,**

**Defendant.**

**INDICTMENT**

The Grand Jury charges that:

**COUNT 1**

**Possession of Access Device-Making Equipment  
(18 U.S.C. § 1029(a)(4))**

On or about December 3, 2021, in Miami-Dade County, in the Southern District of Florida  
and elsewhere, the defendant,

**RICARDO DIAZ BORREGO,**

did knowingly, and with intent to defraud, traffic in, have custody and control of, and possess  
device-making equipment, that is, a point-of-sale credit card skimming device, said conduct  
affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section  
1029(a)(4) and 2.

**COUNT 2**

**Possession of Access Device-Making Equipment  
(18 U.S.C. § 1029(a)(4))**

On or about February 10, 2022, in Miami-Dade County, in the Southern District of Florida  
and elsewhere, the defendant,

**RICARDO DIAZ BORREGO,**

did knowingly, and with intent to defraud, traffic in, have custody and control of, and possess device-making equipment, that is, a point-of-sale credit card skimming device, said conduct affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 1029(a)(4) and 2.

**FORFEITURE ALLEGATIONS**

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **RICARDO DIAZ BORREGO**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 1029, as alleged in this Indictment, the defendant shall forfeit to the United States: (a) any property constituting, or derived from, proceeds obtained, directly or indirectly, as the result of such offense, pursuant to Title 18, United States Code, Section 982(a)(2)(B); and (b) any personal property used, or intended to be used, to commit such offense, pursuant to Title 18, United States Code, Section 1029(c)(1)(C).

All pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C) and the procedures set forth at Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Sections 982(b)(1) and 1029(c)(2).

[SPACE INTENTIONALLY LEFT BLANK]

A TRUE BILL

  
FOREPERSON

  
JUAN ANTONIO GONZALEZ  
UNITED STATES ATTORNEY

  
MARX P. CALDERÓN  
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO. \_\_\_\_\_

v.

RICARDO DIAZ BORREGO,

## CERTIFICATE OF TRIAL ATTORNEY\*

## Superseding Case Information:

\_\_\_\_\_  
Defendant.

Court Division: (Select One)

☒ Miami   ☐ Key West   ☐ FTL  
☐ WPB   ☐ FTP
New defendant(s)   ☐ Yes   ☐ No

Number of new defendants \_\_\_\_\_

Total number of counts \_\_\_\_\_

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
3. Interpreter: (Yes or No) Yes  
List language and/or dialect \_\_\_\_\_
4. This case will take 2 days for the parties to try.
5. Please check appropriate category and type of offense listed below:  

(Check only one) I   0 to 5 days <input checked="" type="checkbox"/> II   6 to 10 days <input type="checkbox"/> III   11 to 20 days <input type="checkbox"/> IV   21 to 60 days <input type="checkbox"/> V   61 days and over <input type="checkbox"/>	(Check only one) Petty <input type="checkbox"/> Minor <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input checked="" type="checkbox"/>
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6. Has this case previously been filed in this District Court? (Yes or No) No  
 If yes: Judge \_\_\_\_\_ Case No. \_\_\_\_\_  
 (Attach copy of dispositive order)  
 Has a complaint been filed in this matter? (Yes or No) No  
 If yes: Magistrate Case No. \_\_\_\_\_  
 Related miscellaneous numbers: \_\_\_\_\_  
 Defendant(s) in federal custody as of \_\_\_\_\_  
 Defendant(s) in state custody as of \_\_\_\_\_  
 Rule 20 from the District of \_\_\_\_\_  
 Is this a potential death penalty case? (Yes or No) No
7. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia O. Valle)? (Yes or No) No
8. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shanick Maynard)? (Yes or No) No
9. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? (Yes or No) No

*Marx P. Calderon*

Marx P. Calderon

Assistant United States Attorney

Court ID No.      A5502700

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: RICARDO DIAZ BORREGO

Case No: \_\_\_\_\_

Count #: 1

Possession of Access Device-Making Equipment

18 U.S.C. § 1029(a)(4)

\* Max. Penalty: 15 years' imprisonment

Count #: 2

Possession of Access Device-Making Equipment

18 U.S.C. § 1029(a)(4)

\* Max. Penalty: 15 years' imprisonment

**\*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**